

**32B-4-209 Lawful detention.**

- (1)
- (a) To inform a peace officer of a suspected violation and subject to the requirements of Subsection (1)(c), a person described in Subsection (1)(b) may:
    - (i) detain a person; and
    - (ii) hold any form of identification presented by the person.
  - (b) The following may take an action described in Subsection (1)(a):
    - (i) a state store employee;
    - (ii) a package agent;
    - (iii) a licensee or permittee;
    - (iv) a beer retailer; or
    - (v) staff of a person described in Subsections (1)(b)(ii) through (iv).
  - (c) A person described in Subsection (1)(b) may take an action described in Subsection (1)(a) only:
    - (i) if that person has reason to believe that the person against whom the action is taken is:
      - (A) in a facility where liquor or beer is sold; and
      - (B) in violation of Section 32B-4-409, 32B-4-412, or 32B-4-413;
    - (ii) in a reasonable manner; and
    - (iii) for a reasonable length of time.
- (2) Unless the detention is unreasonable under all circumstances, the detention or failure to detain does not create criminal or civil liability for:
- (a) false arrest;
  - (b) false imprisonment;
  - (c) slander; or
  - (d) unlawful detention.

Enacted by Chapter 276, 2010 General Session